

0302

BOX:

224

FOLDER:

2196

DESCRIPTION:

Payton, Robert

DATE:

06/22/86



2196

Capt. Progan of 13<sup>th</sup>  
recently certifies that  
within promise a man  
occupied by respectable  
people and have been  
since June 1886. I am  
satisfied that Capt. is  
a respectable man and  
immediately abated the  
misused upon being  
informed thereof. I re-  
commend that within  
indictment be dis-  
missed and that Capt.  
be discharged.

Not changed,  
 April 19/87  
 Charles W. B. MacIntyre  
 Secy. City.

Wm. B. MacIntyre  
Dist. Atty.

Counsel, *Att. Whitehead, Blackman*  
 Filed *22* day of *June* 188*8*  
 Pleads *Not Guilty (24)*

# THE PEOPLE

vs.

Robert Payton

RANDOLPH B. MARTINE,  
*District Attorney.*

# A True Bill.

Karen Moberg

Mr. & Mrs. J. J. Morgan  
New York

0304

Sec. 103-200.

CITY AND COUNTY  
OF NEW YORK, *ss*

District Police Court.

*Robert Peyton* being duly examined before, the undersigned, according to law, on the annexed charge: and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him, that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question What is your name?

Answer

*Robert Peyton*

Question How old are you?

Answer

*Fifty-eight years*

Question. Where were you born?

Answer.

*Ireland*

Question. Where do you live, and how long have you resided there?

Answer.

*Greenville N. Y. Thirteen years*

Question What is your business or profession?

Answer

*Dealer in paper-stocks*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

*I am not guilty and demand a trial by jury*  
*Robert Peyton*

Taken before me this *15*

day of *June* 188*6*

*W. J. Lewis*

Police Justice.

0305

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

Robert Vayton  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated June 15 1886 Wm. J. Omer Police Justice.

I have admitted the above-named Robert Vayton to bail to answer by the undertaking hereto annexed.

Dated June 15 1886 Wm. J. Omer Police Justice.

There being no sufficient cause to believe the within named Robert Vayton guilty of the offence within mentioned, I order he to be discharged.

Dated June 15 1886 Wm. J. Omer Police Justice.

0306

BAILED,

No. 1, by Michael J. Keegan

Residence 55 E. 1st Street

No. 2, by 56 Thomas

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Witnesses not examined

William H. Hudson 222 Sullivan

Richard Peter 46-1st Street

Henry Dwyer 186 Greenwich

Albert McGlone 214 Thompson St

Thomas Wardlaw 117 Thompson St

Police Court

172 864 District.

THE PEOPLE, &c,  
ON THE COMPLAINT OF

Charles S. Hughes  
214 Thompson St.

Robert Vayten

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence Receiving Stolen Goods

Date June 15 188 6

Magistrate Magistrate.

Capt. John J. Morgan Officer.

Examined in Police Court 15 Precinct.

Witnesses William Hudson

215 Thompson St

James McGlone

211 1/2 Thompson St

Stephen Regall

215 Thompson

No. Henry Wardlaw Street.

1222 Sullivan

Norman Straus

2166 Lexington St

No. see other side Street.

300 to answer

Bailed

Bill Wardlaw

0307

Police Department of the City of New York,

Precinct No. 15

New York, March 29/88

Hon. Randolph B. Marline.  
Dist. Attorney  
Sir

This is to certify  
that premises No. 216 Thompson  
St. Owned by Robt. Peyton, are  
occupied by respectable people  
and have been since June 1886.

Respectfully

John D. Hogan  
Capt-15<sup>th</sup> Precinct

0308

Sec. 322, Penal Code.

CITY AND COUNTY { ss.  
OF NEW YORK

District Police Court.

of No. 214 Thompson Street, in said City, being duly sworn says  
that at the premises known as Number 216 Thompson Street,  
in the City and County of New York, on the 1st day of March, 1886, and on divers

other days and times, between that day and the day of making this complaint,  
Robert Peyton as owner of the premises  
did unlawfully let and knowingly permit to use the same  
premises and did then, and on the said other days and times, there unlawfully permit  
as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come  
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said  
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil  
name and fame there to be and remain dancing, fighting, disturbing the peace, and misbehaving  
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and  
there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said Robert Peyton, owner  
and all vile, disorderly and improper persons found upon the premises be removed  
from which the said Robert Peyton is the owner  
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me this 10  
day of June, 1886

Chas. J. Eichler

W. J. Omer Police Justice.

0309

Police Court—2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles A. Schler

vs.

Robert Taylor

AFFIDAVIT—Keeping Disorderly House, &c.

Dated June 10 1886

William J. Sawyer Justice.

Capt. Wm. J. Morgan Officer.

15<sup>th</sup> Precinct.

WITNESSES:

In the People's  
Susan Stanley

James T. Heaton

Stephanie Legall

Leahy Gordon

Hempes Thaus

210 Thompson Street.

210 1/2 " " "

215 Thompson " "

222 Sullivan " "

2166. Leach St

0310

Sec. 151.

Police Court— 2 District.

CITY AND COUNTY }  
OF NEW YORK, } ss *In the name of the People of the State of New York: To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Charles A. Buchler  
of No. 214 Thompson Street that on the 4 day of March  
1886, at the City of New York, in the County of New York, Robert Vayten as Owner  
did ~~keep~~ illegally permit to be and maintain at the premises known as Number 216 Thompson  
Street, in said City, a House of ill-fame  
and there unlawfully ~~permitted~~ permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain ~~drinking~~, dancing, fighting, disturbing the peace, ~~whoring~~ and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

THESE ARE, THEREFORE, in the name of the People of the State of New York, to Command you, the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the body of the said

Robert Vayten Owner of the premises  
and all vile, disorderly and improper persons found upon the premises ~~owned~~ owned by said Robert Vayten  
at above address and forthwith bring them before me, at the 2 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 10 day of June 1886

W. J. Oama POLICE JUSTICE.

0311

Police Court—2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles A. Schuler*

*Robert V. Vinton*

WARRANT—Keeping Disorderly House, &c.

Dated *April 10* 1886

*William J. Davis* Magistrate

*Capt. John J. Burger* Officer.  
15 Precinct.

The Defendant

taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

\_\_\_\_\_  
Officer.

Dated \_\_\_\_\_ 188

This Warrant may be executed on Sunday or at  
night.

*W. J. Davis*  
Police Justice.

having been brought before me under this Warrant, is committed for examination to the  
WARDEN and KEEPER of the City Prison of the City of New York.

*Indul*

188

*Police Justice.*

The within named

0312

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Robert Payton

The Grand Jury of the City and County of New York, by this indictment, accuse

Robert Payton of a Misdemeanor,

~~of the Crime of~~

committed as follows:

The said Robert Payton,

late of the ~~Fifteenth~~ Ward of the City of New York, in the County of New York aforesaid, on the first day of March, in the year of our Lord one thousand eight hundred and eighty- six, at the Ward, City and County aforesaid,

being then and there the owner of a certain building there situate, with force and arms, <sup>as such owner,</sup> did unlawfully let the said building to ~~some~~ a certain person to the Grand Jury aforesaid as yet unknown, —, the said unknown person then and there intending to use the said building as a house of ill fame and assignation, and as a house and place for persons to visit for unlawful sexual intercourse, and other lewd, obscene and indecent purposes, as he the said Robert Payton then and there well knew: against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

Second Count:

And the Grand Jury aforesaid, by this Indictment further accuse the said Robert Payton of a Misdemeanor, committed as follows:

The said Robert Payton, late of the Ward, City and County aforesaid, afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, being then and there the owner of a certain building there situate, with force and arms, did, as such owner, unlawfully and knowingly permit the said building to be used by ~~one~~ a certain person to the Grand Jury aforesaid as yet unknown, as a house of ill-fame and assignation, and as a house and place for persons to visit for unlawful sexual intercourse, and for other lewd, indecent and obscene purposes: against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

~~Randolph B. [illegible]~~

~~District Attorney~~

03 14

Court of General Sessions of the

OF THE CITY AND COUNTY OF NEW YORK.

*Third* COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said

*Robert Peyton* —

(Section 885,  
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL FAME, committed as follows:

The said *Robert Peyton*, —

late of the *Fifteenth* Ward of the City of New York, in the County of New York aforesaid, on the *first* day of *March*, in the year of our Lord one thousand eight hundred and eighty-*six*, and on divers other days and times as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

*Robert Peyton*, —

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of, and against good morals and good manners, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

*Fourth*

SECOND COUNT.—

And the Grand Jury aforesaid, by this indictment, further accuse the said

*Robert Peyton* —

(Section 885,  
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said *Robert Peyton*, —

late of the Ward, City and County aforesaid, afterwards, to wit: on the *first* day of *March*, in the year of our Lord one thousand eight hundred

03 15

and eighty-~~six~~ ——— and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill governed house, and in ~~his~~ said house, for ~~his~~ own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

~~Fifth~~  
THIRD COUNT.—

And the Grand Jury aforesaid, by this indictment, further accuse the said

Robert Peyton

(Section 322,  
Penal Code.)

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said Robert Peyton,

late of the Ward, City and County aforesaid, afterwards, to wit: on the ~~first~~ day of ~~March~~, in the year of our Lord one thousand eight hundred and eighty-~~six~~, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for ~~his~~ own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women, in ~~his~~ said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully, did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, against the form of the Statute in such case made and provided and against the peace of the People of the State of New York and their dignity.

**RANDOLPH B. MARTINE,**  
District Attorney.

03 16

BOX:

224

FOLDER:

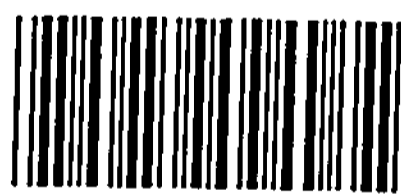
2196

DESCRIPTION:

Peterson, James

DATE:

06/11/86



2196

0317

No 71

Witnesses:

Counsel,  
Filed 11<sup>th</sup> of June 2, 1886.  
Pleads *Verdict (14)*

*James Peterson*  
vs. *R*  
THE PEOPLE  
Grand Larceny 2<sup>nd</sup> degree  
[Sections 628, 631 Penal Code].

RANDOLPH B. MARTINE,  
District Attorney.

A True Bill.  
*J. L. Linnear*

*P2 June 17, 1886*  
*Pleads P.L.*  
*Pen one year*

0318

34

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK, } ss.

Michael McCormack

of No. 446 West 17 Street,

being duly sworn, deposes and says, that on the 8 day of June 1886

at the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession

of deponent in the day time

the following property, viz:

A Bag of Five of the value  
Twenty seven dollars (\$27.00)

the property of Dickerson Van Dusen & Co.

and in care of charge of  
deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken,

stolen, and carried away by James Petersen

(nowhere) from the fact  
that the deponent was informed  
by Officer Thomas Stapleton of  
the 7th Precinct Police that he  
arrested the defendant in  
Mowse street with the above  
described property in his  
the defendant's possession.

Michael McCormack

Sworn before me this

8 day of June

1886

Police Justice,

03 19

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 51 years, occupation Police Officer of No. 214 Madison Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of William McLaughlin and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 9 } Thomas Stapleton  
day of June 1886 }

W. H. Hilde  
Police Justice.

0320

Sec. 198—200.

34

District Police Court.

CITY AND COUNTY { ss  
OF NEW YORK.

*James Peterson* being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is *his* right to make a statement in relation to the charge against *him*; that the statement is designed to enable *him* if he see fit to answer the charge and explain the facts alleged against *him* that he is at liberty to waive making a statement, and that *his* waiver cannot be used against *him* on the trial.

Question What is your name?

Answer *James Peterson*

Question How old are you?

Answer *20 years*

Question. Where were you born?

Answer *New York City*

Question. Where do you live, and how long have you resided there?

Answer *32 Cherry street all month*

Question What is your business or profession?

Answer *Newsdealer*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer *I am not guilty*

*James Peterson*

Taken before me this

day of *Sept*, 188*6*

*Police Justice*

0321

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named \_\_\_\_\_

James Peterson

~~guilty~~ thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated June 9 1886 H. A. Heide Police Justice.

I have admitted the above-named \_\_\_\_\_

to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_

\_\_\_\_\_ guilty of the offence within mentioned, I order he to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0322

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*McBarnes*  
*446 N. 17*  
*James Petersen*

2 .....  
3 .....  
4 .....

*Offence by Mr. Petersen*

Dated *June 9* 188*6*

*Melcher* Magistrate

*Stephenson* Officer.

..... Precinct.

Witnesses .....

No. .... Street.

No. .... Street.

No. .... Street.

\$ *1000* to answer *Ed.*

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0323

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*James Peterson*

The Grand Jury of the City and County of New York, by this indictment, accuse

*James Peterson* -

of the CRIME OF GRAND LARCENY IN THE ~~second~~ DEGREE, committed as follows :

The said *James Peterson*,

late of the First Ward of the City of New York, in the County of New York aforesaid on the *nineteenth* day of *June*, in the year of our Lord one thousand eight hundred and eighty-*seven*, at the Ward, City and County aforesaid, with force and arms,

*one bag of linen of the value  
of twenty seven dollars.*

of the goods, chattels and personal property of one

*John S. Dickerson,* -

then and there being found, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

0324

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

*James Peterson* —

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

*James Peterson*

late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms,

*one ring of his of the value*

*of twenty seven dollars.*

of the goods, chattels and personal property of one

*John S. Anderson.* —

by ~~a certain person~~ persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said

*John S. Anderson.* —

unlawfully and unjustly, did feloniously receive and have; the said

*James Peterson* —

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

**RANDOLPH B. MARTINE,**

**District Attorney.**